IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3501 OF 2004

1.Chandrashekar M.Chalke ..
2.Sarita M.Chalke .. Petitioners.
Vs.
State of Maharashtra .. Respondent.

Mr.N.R.Tiwari i/b V.B.Tiwari & Co. for the petitioners.
Mr.K.V.Saste APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 19TH AUGUST, 2004

P.C.:

. Heard Mr.Tiwari, learned counsel for the petitioners and Mr.Saste, learned A.P.P. for the respondent.

2. The petitioners have approached this court for being released on bail in C.R.No.I-87/2004 at Vishnu Nagar police station, Dombivali under sections 387, 498-A, 306, 34 of Indian Penal Code. It is the prosecution case the applicants and co-accused - Jyotsna allegedly subjected deceased - Varsha to cruelty so as to coerce her to fulfil their unlawful demand of money which ultimately drove the deceased to commit suicide on 22.6.2004. It appears that on the date of funeral of Varsha, a

mob of 20-25 persons man-handled and assaulted the father of petitioner no.1 and thereafter he was allegedly killed by some of the persons against whom the offence has been registered. In this matter I am informed that the chargesheet has already been filed. Considering the overall facts and circumstances of the case and that father of petitioner no.1 and husband of petitioner no.2 has been killed by the mob at the time of funeral of Varsha, I am inclined to enlarge the applicants on bail:

. The applicants are directed to be enlarged on bail on their furnishing a personal bond of Rs.10,000/- each with one or two sureties of the like amount to the satisfaction of the trial court subject to condition that they shall not enter within the jurisdiction of Vishnu Nagar police station, Dombivali until the conclusion of their trial. The petitioners shall keep inform their address to the concerned police station where they propose to stay during the aforesaid period and petitioner no.1 shall report nearest police station from the place of his residence on every alternate Saturday between 10 am and 11 am till the conlusion of their trial.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

. The application is disposed of.

(D.B.Bhosale, J.)